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December 6, 2002

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VIA HAND DELIVERY

DEC - 6 2002

Marlene H. Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, S.W., TW-B204
Washington, DC 20554FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARYRe: *IB Docket No. 02-111 Additional Clarifications*

Dear Ms. Dortch:

This letter is written on behalf of Pacific Telecom Inc. ("PTI") in response to the International Bureau's oral (telephone) requests for clarification of PTI's submissions in the above-mentioned proceedings.

CLASS ACTION LAWSUITS

The Bureau requested an updated status report on the class action law suit described on page 27 of the *Joint Opposition [of PTI and Bell Atlantic New Zealand Holdings, Inc.] To Petitions To Deny And Informal Opposing Comment* filed July 1, 2002, in this proceeding.

The Tan Group has operated four separate apparel manufacturing facilities in Saipan, Commonwealth of the Northern Mariana Islands ("CNMI"): Concorde Garment Manufacturing Corp., Trans-Asia Garment Forte Corp., L&T International Corp., and Global Manufacturing, Inc. These factories have employed approximately 10,000 apparel workers since 1990.

On January 14, 1999, three class action law suits were filed by the noted class action law firm Milberg Weiss Bershad Hynes & Lerach, LLP. One civil action was filed in Los Angeles, another in San Francisco, and a third in Saipan.¹ Collectively, the three class action law suits alleged on behalf of apparel workers in Saipan and various Non- Governmental Organizations a variety of labor violations and unfair business practices against both US.-based apparel retailers and Saipan-based apparel manufacturing facilities, including those operated by the Tan Group. The named defendants included Abercrombie & Fitch Co., The Associated Merchandising Corporation, The Gap, Inc., Brooks Brothers, Inc., Calvin Klein, Inc., Cutter & Buck, Inc., The

¹ The Los Angeles civil action eventually was transferred to Saipan.

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Marlene H. Dortch
December 6, 2002
Page 2

Gymboree Corp., J. Crew Group, J. C. Penney Company, Inc., Jones Apparel Group, Inc., Lane Bryant, Inc., Levi Strauss & Company, The Limited, Inc., The May Department Stores Company, Nordstrom Inc., OshKosh B'Gosh, Inc., Sears Roebuck, The Talbots, Inc., Target Corporation, Tommy Hilfiger USA, Inc., Warnaco Group, Inc., Woolrich, Inc., Advance Textile Corp., American Pacific Textile, Inc., Commonwealth Garment Manufacturing, Inc., Concorde Garment Manufacturing Corp., Express Manufacturing, Inc., Global Manufacturing, Inc., Grace International, Inc., Hansae (Saipan) Inc., (a/k/a New Star Corp. a/k/a Kyung Suh Co Ltd.), Joo Ang Apparel, Inc., L&T Group of Companies, Ltd. (formerly d/b/a L&T International Corp.), Mariana Fashions, Inc., Marianas Garment Manufacturing, Inc., Michigan, Inc., Micronesian Garment Manufacturing, Inc. (now d/b/a Rifu Apparel Corp.), Mirage (Saipan), Inc., Neo Fashion, Inc. Net Apparel Co. (a/k/a Net Apparel Co., N.E.T. Corp. formerly d/b/a Suntex Manufacturing, now d/b/a Pacific Coast), Onwel Manufacturing, Inc., Pang Jin Sang Sa Corp., Top Fashion Corp., Trans-Asia Garment Forte Corp., United International Corp., Uno Moda Corp., US-CNMI Development Corp., and Winners Corp.

Several months after the litigation was initiated, several U.S.-based apparel retailers entered into settlement agreements with the plaintiffs. Over the course of more than three years, the remainder of the cases continued to be aggressively litigated. In April, 2002, the parties met in Hong Kong to discuss a global resolution of this litigation. These discussions ultimately led to the execution of settlement documents (with all parties except one retailer) on September 24, 2002.

On October 9, 2002, the United States District Court for the Northern Mariana Islands issued an order staying litigation pending a hearing on Preliminary Approval of this comprehensive settlement agreement (copy is appended as Attachment 1). On October 31, 2002, a hearing was conducted in the U.S. District Court for the Northern Mariana Islands seeking the Court's approval of the settlement agreement. Judge Alex R. Munson entered an order (copy appended as Attachment 2) preliminarily approving the comprehensive settlement and set the matter for final approval on March 20, 2003. The settlement agreement (without the other parties' counterpart signature pages) is appended as Attachment 3.

WORLD HEADQUARTERS

The Bureau asked for clarification of the "world headquarters" of PTI and certain of its shareholders. As discussed in prior submissions, PTI and each of its direct shareholders are newly formed entities created solely for the proposed investment in The Micronesian Telecommunications Corporation ("MTC"). Thus, these entities do not have the experience of ongoing operations on which to base their responses to the Bureau's inquiry.

Marlene H. Dortch
December 6, 2002
Page 3

The world headquarters for Pacific Telecom Inc. (a CNMI corporation) should be considered to be the CNMI (U.S.) in light of the facts that the main office space for PTI, the location of PTI's senior officers, and PTI's central asset (MTC) will all be in the CNMI.²


The world headquarters for the Tan Family trusts (the owners of Tan Holdings Corporation) is the CNMI. The trusts were executed in the CNMI and are to be construed under the laws of CNMI. Moreover, the trusts' estates (that is, their property holdings) consist primarily of stock in Tan Holdings Corporation, a CNMI corporation whose world headquarters is the CNMI. The world headquarters for thirty percent shareholder THC Communications Corp is the same as the world headquarters for its parent corporation Tan Holdings Corporation, the CNMI.

Twenty percent shareholder Missouri Holdings Corporation was formed solely as a vehicle to hold the investment in PTI, which, as described above, is a CNMI corporation whose world headquarters is the CNMI. Missouri Holdings Corporation is a CNMI corporation whose mailing address is in the CNMI and which has a registered agent for the service of process in the CNMI. Because Missouri Holdings Corporation does not intend to conduct any business outside of the CNMI, its world headquarters should be considered to be the CNMI (US.).

Please contact the undersigned if you have any questions.

Respectfully submitted;

WILKINSON BARKER KNAUER, LLP

By: 
Kenneth D. Patrich
Timothy J. Cooney

cc: Jennifer D. Hindin, counsel to Bell Atlantic
New Zealand Holdings, Inc.
Attached Service List

² PTI already has stated that the world headquarters of the owners of Prospector Investment Holdings, Inc. is in the Philippines. *Petition of Pacific Telecom Inc. For Declaratory Ruling Under Section 310(b)(4) of the Communications Act of 1934, As Amended*, FCC File No. ISP-PDR-20020411-00013, at 6 n.8.

CERTIFICATE OF SERVICE

I, Felicia Lane, a legal secretary at Wilkinson Barker Knauer, LLP certify that on December 6, 2002, the foregoing was served on all parties listed below by hand delivery (indicated by asterisk) and U.S. mail, first class, postage prepaid.

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Felicia Lume

IB DOCKET NO. 02-111

ATTACHMENT 1 (12/06/02)

TO PACIFIC TELECOM INC.'S RESPONSE TO

INTERNATIONAL BUREAU'S TELEPHONIC

INFORMATION REQUEST

Original Filed
on this date

OCT - 9 2002

Clerk
District Court
For The Northern Mariana Islands**TEKER CIVILLE TORRES & TANG****PATRICK CIVILLE****JYCE C.H. TANG****M.B. 86, P.O. Box 10003****aiapa 1, MP 96950-8903****telephone: 670/235-1725****TILBERG WEISS BERSHAD****HYNES & LERACH LLP****ANITA M. PARKER****STEVEN W. PEPICH****ANDREW J. BROWN****MICHELLE M. CICCARELLI****ELIZABETH J. ARLEO****BENNY C. GOODMAN****101 B Street, Suite 1700****San Diego, CA 92101****Telephone: 619/231-1058****- and -****ALBERT H. MEYERHOFF****155 South Grand Avenue, Suite 4170****Los Angeles, CA 90071****Telephone: 213/617-9007****ALTSCHULER, BERZON, NUSSBAUM,**
RUBIN & DEMAIN**MICHAEL RUBIN****177 Post Street, Suite 300****San Francisco, CA 94108****Telephone: 415/421-7151***Attorneys for Plaintiffs***UNITED STATES DISTRICT COURT****NORTHERN MARIANA ISLANDS****DOLIS I, et al., On Behalf of Themselves and
All Others Similarly Situated,****Plaintiffs,****vs.****THE GAP, INC., et al.,****Defendants.****Case No. CV-01-0031****CLASS ACTION****STIPULATION AND ORDER
STAYING LITIGATION UNTIL
HEARING ON PRELIMINARY
APPROVAL OF SETTLEMENT
AGREEMENT**

1 STIPULATION AND ORDER STAYING LITIGATION
2 UNTIL HEARING ON PRELIMINARY APPROVAL OF
3 SETTLEMENT AGREEMENT

4 1. Plaintiffs and the factory and retailer defendants, except for Levi Strauss & Co. (collectively
5 referred to as the "Parties"), have entered into a Stipulation and Settlement Agreement ("Settlement
6 Agreement") which is intended to resolve and settle plaintiffs' claims against the various factory defendants
7 in this lawsuit.

8 2. The Settlement Agreement provides that the parties shall apply to the Court for a preliminary
9 order approving the Settlement Agreement and enjoining and staying the litigation pending the Fairness
10 hearing.

11 3. The Parties have agreed to a stay of litigation in this lawsuit until the hearing on the
12 preliminary approval of the Settlement Agreement.

13 4. This order does not affect the Motion
14 to dismiss the Third Amended Complaint filed
15 by defendant Levi Strauss and Co.
16 A.R. Morrison

Oct-16-02 04:27pm From-TEKER CIVILLE TORRES & TANG

+670 235 1726

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1 IPULATION AND ORDER STAYING LITIGATION
 2 (TIL HEARING ON PRELIMINARY APPROVAL OF
 3 TTLEMENT AGREEMENT

4 SO STIPULATED this ^{7th} day of October, 2002.

5 **TEKER CIVILLE TORRES & TANG**

6 y:

7 JOYCE C.H. TANG

8 **ILBERG WEISS BERSHAD**

9 **HYNES & LERACH LLP**

10 **AMELA M. PARKER**

11 **TEVEN W. PEPICH**

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25 **RUBIN & DEMAIN**

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30 **Attorneys for Plaintiffs**

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By:

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*Co-Liaison Counsel for Non-Settling
Retailer Defendants*

O'CONNOR BERMAN DOTT & BANES

By:

ROBERT M. O'CONNOR

*Liaison Counsel for All Factory
Defendants*

1 IPULATION AND ORDER STAYING LITIGATION
2 UNTIL HEARING ON PRELIMINARY APPROVAL OF
3 SETTLEMENT AGREEMENT

4 **ORDER**

5 IT IS SO ORDERED this 7TH of October, 2002.

6
7 
8 HONORABLE ALEX R. MUNSON
9 Judge, District Court for the NMI

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27 OCT - 9 2002

28 Clerk
29 District Court
30 For The Northern Mariana Islands

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Original Filed
on this date

OCT - 9 2002

Clerk
District Court
For The Northern Mariana Islands

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Telephone: 415/421-7151

Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT

NORTHERN MARIANA ISLANDS

DOES I, et al., On behalf of Themselves and
All Others Similarly Situated,

Plaintiffs,

vs.

ADVANCE TEXTILE CORP., et al.,

Defendants.

Civil Action No. 99-0002

CLASS ACTION

**STIPULATION AND ORDER
STAYING LITIGATION UNTIL
HEARING ON PRELIMINARY
APPROVAL OF SETTLEMENT
AGREEMENT**

This Document Relates To: 99-0002 - 1 to 22

1 STIPULATION AND ORDER STAYING LITIGATION
2 JNT L HEARING ON PRELIMINARY APPROVAL, OF
3 SETTLEMENT AGREEMENT

4 1. Plaintiffs and the factory and retailer defendants, except for Levi Strauss & Co. (collective
5 referred to as the "Parties"), have entered into a Stipulation and Settlement **Agreement** ("Settlement
6 Agreement") which is intended to resolve and settle plaintiffs' claims against the various retailers and
7 factory defendants in this lawsuit.

8 2. The Settlement Agreement provides that the parties shall apply to the Court for a preliminary
9 order approving the Settlement Agreement and enjoining and staying the litigation pending the Fairness
10 Hearing.

11 3. The Parties have agreed to a stay of litigation in this lawsuit until the hearing on the
12 preliminary **approval** of the Settlement **Agreement**.

13 /

14 /

1 STIPULATION AND ORDER STAYING LITIGATION
2 M T L HEARING ON PRELIMINARY APPEAL OF
3 SETTLEMENT AGREEMENT

4 SO STIPULATED this 8 day of October, 2002.

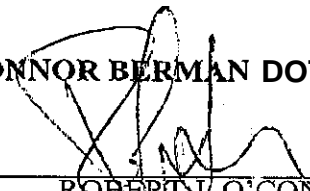
5
6 **FEIKER CIVILLE TORRES & TANG**

7 By:

8 
JOYCE C.H. TANG

6 **O'CONNOR BERMAN DOTT & BANES**

7 By:

8 
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Liaison Counsel for All Factory
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Attorneys for Plaintiffs

1 STIPULATION AND ORDER STAYING LITIGATION
2 UNTIL HEARING ON PRELIMINARY APPROVAL OF
3 SETTLEMENT AGREEMENT

4 ORDER

5 IT IS SO ORDERED this 9TH of October, 2002.
6

7 
8 HONORABLE ALEX R. MUNSON
9 Judge, District Court for the NMI

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25 OCT - 9 2002

26 Clerk
District Court
For The Northern Mariana Islands

IB DOCKET NO. 02-111

ATTACHMENT 2 (12/06/02)

**TO PACIFIC TELECOM INC.'S RESPONSE TO
INTERNATIONAL BUREAU'S TELEPHONIC
INFORMATION REQUEST**

F

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on this date

OCT 31 2002

Clark
District Court
For The Northern Mariana Islands

UNITED STATES DISTRICT COURT
NORTHERN MARIANA ISLANDS

DOES I, et al., On Behalf of Themselves and
All Others Similarly Situated,

Plaintiffs,

vs.

THE GAP, INC., et al.,

Defendants.

Case No. CV-01-0031

CLASS ACTION

CONDITIONAL GRM
~~PROPOSED~~ ORDER GRANTING
PLAINTIFFS' MOTION FOR
PRELIMINARY APPROVAL OF
SETTLEMENT

DOES I, et al., On Behalf of Themselves and
All Others Similarly Situated,

Plaintiffs,

vs.

BRYLANE, L.P., et al.,

Defendants.

DOES I, et al., On Behalf of Themselves and
All Others Similarly Situated,

Plaintiffs,

vs.

THE DRESS BARN, INC.,

Defendant.

DATE: October 31, 2002
TIME: 10:00 am.
JUDGE: Hon. Alex R. Munson

ORIGINAL

1 This matter comes before the Court on Plaintiffs' Motion for Preliminary Approval of Settlement
2 The Motion is unopposed. After consideration of the motion and memorandum of points and authorities
3 filed in support thereof, argument of the parties, and for good cause shown, the Court ORDERS AS
4 FOLLOWS:

5 1. The motion is GRANTED;
6 2. Plaintiffs' Fourth Amended Complaint is accepted as filed as of this date;
7 3. The settlement of the parties, as set forth in the Settlement Agreement attached as Exhibit
8 A to the Declaration of Joyce Tang (filed concurrently with plaintiffs' motion), is approved for the purpose
9 of notifying Class Members of a Fairness Hearing concerning the Settlement, at which the Court may
10 receive evidence and consider objections and arguments as to whether to approve the Settlement of plaintiffs'
11 claim;

12 4. Notice to Class Members shall be in the manner as set forth in Paragraph 20(b) of the
13 Settlement Agreement, and in the form as set forth in Exhibits E - H to the Declaration of Joyce Tang.
14 Notice to Class Members must be mailed, published and posted by November 30, 2002.

15 5. Any Class Member who objects to or wishes to comment upon the Settlement shall file with
16 the Court and serve on counsel for the parties as set forth in the Notice a written statement objecting to or
17 commenting upon the Settlement. Such written statement must be filed with the Court and served on
18 counsel for the parties on or before January 29, 2003.

19 6. Any Class Member who wishes to be excluded from the Settlement Class must request
20 exclusion in writing in the form provided in the Notice, and such request must be returned by mail and
21 received by the Claims Administrator on or before January 29, 2003.

22 7. Any deadlines previously scheduled by the Court in connection with the earlier settlements
23 preliminarily approved by Order dated May 10, 2002, including deadlines for distributing notice, receiving
24 objections and requests for exclusion and a Fairness Hearing date, are hereby vacated.

25 8. A Fairness Hearing to determine final approval of the Settlement, including final approval
26 of the earlier settlements, is hereby scheduled for February 12, 2003.

MARCH 29, 2003 at 9:00 AM

ARM

9. All litigation in this case and the case *Does I, et al. v. Advanced Textile Corp., et al*, No. CV-99-0002 (C.N.M.I.) as against the Settling Defendants only is stayed pending the Fairness Hearing.

+ * *

ORDER


IT IS SO ORDERED.

DATED: 10-31-02


THE HONORABLE ALEX R. MUNSON
DISTRICT COURT JUDGE FOR THE NMI

Submitted by:

TEKER CIVILLE TORRES & TANG

By: 
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OCT 18 2002

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District Court
Federal Northern Mariana Islands